

Applc. No.: 09/658,712

Amdt. Dated February 2, 2006

Reply to Office action of November 15, 2005

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-3, 5-14, and 17-22 remain in the application. Claims 1, 3, 10, 17, and 20 have been amended. Claims 4 and 15-16 have been previously cancelled.

In the second paragraph on page 2 of the above-mentioned Office action, claims 1, 3, 5, and 10 have been rejected as being anticipated by Dietrich (US 3,026,795) under 35 U.S.C. § 102(b).

In the third paragraph on page 3 of the above-mentioned Office action, claims 2 and 11-14 have been rejected as being unpatentable over Dietrich in view of Fischer (US 4,148,256) under 35 U.S.C. § 103(a).

In the second paragraph on page 4 of the above-mentioned Office action, claims 6, 9, 17-18, and 20-21 have been rejected as being unpatentable over Dietrich in view of Klingler et al. (US 4,361,090) under 35 U.S.C. § 103(a).

In the penultimate paragraph on page 5 of the above-mentioned Office action, claims 19 and 22 have been rejected as being

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unpatentable over Dietrich in view of Klingler et al. and further in view of Fischer under 35 U.S.C. § 103(a).

In the fourth paragraph on page 6 of the above-mentioned Office action, claims 7-8 have been rejected as being unpatentable over Dietrich in view of Buchwald (US 5,813,961) under 35 U.S.C. § 103(a).

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references. However, the language of claims 1, 10, 17, and 20 has been modified in an effort to even more clearly define the invention of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

a circumferential surface provided with a surface structure and formed of a nonmetallic material, said circumferential surface carrying a liquid and being a roller selected from the group of rollers consisting of a slip roller and a ductor roller for periodically contacting another roller of the rollers, said surface structure being irregularly structured.

Claim 10 calls for, inter alia:

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at least one roller with a circumferential surface provided with a surface structure and formed of a nonmetallic material, said circumferential surface carrying a liquid, and said roller being selected from the group of rollers consisting of a slip roller and a ductor roller for periodically contacting another roller of the rollers, said surface structure being irregularly structured.

Claim 17 calls for, inter alia:

said circumferential surface carrying a liquid and being a roller selected from the group of rollers consisting of a slip roller and a ductor roller for periodically contacting another roller of the rollers.

Claim 20 calls for, inter alia:

at least one roller with a circumferential surface provided with a surface structure and formed of a nonmetallic material, said circumferential surface carrying a liquid, said roller being selected from the group of rollers consisting of a slip roller and a ductor roller for periodically contacting another roller of the rollers.

According to the invention of the instant application, the roller can be a ductor roller (or vibrator roller 12) or a slip roller (16). A person skilled in the art would know that, by definition, a ductor roller (or vibrator roller) periodically, not permanently, contacts another roller.

Dietrich shows a roller 9, which is referred to by the Examiner. However, the roller 9 in Dietrich is neither a slip roller nor a ductor roller (although it is erroneously labeled as "ductor roll"), but a well roller because it is located in

the well 8 (see column 1, lines 56-57). The roller 9 contacts permanently, not periodically, other rollers 10 and 16 (see the third last paragraph on page 2 of the Office action).

The Examiner has referred to the well roller 1 of Klingler et al. However, Applicants believe that the well roller 1, although labeled as "ductor roller," is not a ductor roller in the sense of the invention of the instant application because it does not contact another roller periodically.

It is noted that in the cited references the term "ductor roller" has been erroneously used for a "duct roller." "Duct roller" is an alternative term corresponding to the term "fountain roller" (see page 8, line 24 of the specification of the instant application). "Duct roller" and "ductor roller" are different types of rollers.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1, 10, 17, and 20. Claims 1, 10, 17, and 20 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claims 1, 10, 17, or 20, they are believed to be patentable as well.

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In view of the foregoing, reconsideration and allowance of claims 1-3, 5-14, and 17-22 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to 37 CFR Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

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February 2, 2006

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